

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

**OSCAR MORENO BRIZ, Individually and
on Behalf of All Others Similarly Situated**

PLAINTIFF

vs.

No. 7:22-cv-144

PROTRANS INTERNATIONAL, LLC

DEFENDANT

NOTICE OF RIGHT TO JOIN LAWSUIT

FROM: Mr. Josh Sanford
SANFORD LAW FIRM, PLLC
Kirkpatrick Plaza
10800 Financial Centre Parkway, Suite 510
Little Rock, Arkansas 72211
Telephone: (800) 615-4946
Facsimile: (888) 787-2040
E-mail: josh@sanfordlawfirm.com
Attorney for Plaintiff

TO: All hourly-paid employees of Protrans International, LLC, who were paid a profit-share bonus in connection with work performed in any workweek in which they worked over forty hours between October of 2020 and June of 2022.

RE: Alleged unpaid overtime lawsuit against Protrans International, LLC (“Defendant”) and proposed settlement.

(1) TIME-SENSITIVE: Because the right to claim unpaid wages expires after three years, your right to any potential unpaid wages may depend on the date on which you return the enclosed Consent form. YOU DON’T HAVE TO JOIN THIS CASE, BUT IF YOU DON’T, YOU WILL NOT RECEIVE ANY MONEY FROM THIS CASE IF THE COURT DETERMINES YOU ARE ENTITLED TO ANY PORTION OF THE SETTLEMENT FUNDS.

(2) INFORMATION-ONLY OPTION: If you do not want to join this lawsuit but you would like information about it as it progresses, and you would like regular updates about the case, you can email information@sanfordlawfirm.com to sign up for status reports. You can also call the number below to be added to a case-related mailing list.

IMPORTANT: CONSENT FORM DUE BY _____, 2023

(3) INTRODUCTION: The purpose of this notice is to inform you of a pending collective action lawsuit in which you may be a member as a Plaintiff; to advise you of how your rights may be affected by this suit; and to instruct you on the procedure for participating in this suit.

(4) DESCRIPTION OF THE LAWSUIT: Plaintiff is a former hourly employee for Defendant. In the case, *Oscar Moreno Briz, et al. v. Protrans International, LLC*, Case No. 7:22-cv-144, Plaintiff filed a Complaint against Defendant alleging that Defendant violated federal law by not including bonuses in hourly employees' regular rate of pay when calculating their overtime pay, and therefore failing to pay proper overtime. Defendant denies Plaintiff's allegations, denies that it acted willfully or intentionally with regard to any alleged violations of law, and maintains that it paid proper overtime wages to its hourly employees.

If the case is not settled between the parties, a trial will be held at the United States District Court for the Southern District of Texas in McAllen. The Court has not ruled on or decided any of the issues, including the merits of the claims or defenses.

(5) YOUR RIGHT TO PARTICIPATE IN THIS SUIT: If you fit the definition above, you may join this suit (that is, you may opt-in) provided that you file or cause to be filed the attached Consent to Join Collective Action **on or before** _____, **2023**.

Additional Consent to Join forms and information regarding the specific filing requirements are available from Plaintiff's attorney, Josh Sanford, Sanford Law Firm, PLLC, Kirkpatrick Plaza, 10800 Financial Centre Parkway, Suite 510, Little Rock, Arkansas 72211, (800) 615-4946, josh@sanfordlawfirm.com.

(6) EFFECT OF JOINING THIS SUIT: If you choose to join this suit, you will be bound by the judgment whether it is favorable or unfavorable. While the suit is proceeding you may be required to provide information, sit for depositions, and testify in court. You will not be required to pay attorney's fees directly. Plaintiff's attorney will receive a part of any money judgment or settlement entered in favor of the collective.

It is important to understand that you are not necessarily entitled to recovery just because you were employed by Defendant as an hourly employee between October of 2020 and June of 2022 and received a bonus during a week in which you worked overtime. The Court will make a final decision about whether you are entitled to recover, and for what time period, if any, that you are entitled to recover. The Court has not made those decisions yet.

(7) EFFECT OF NOT JOINING THIS SUIT: If you choose not to join this suit, you will not be affected by the settlement of this case or any judgment, favorable or unfavorable. If you choose not to join this suit, you are free to file your own lawsuit. If you do not join this suit, however, its filing will not stop the running of the statute of limitations (deadlines) applicable to any claims you may have against Defendant within the scope of the suit. If those deadlines expire before you file your own lawsuit, you may lose your

IMPORTANT: CONSENT FORM DUE BY _____, 2023

rights. Accordingly, if you desire to file your own lawsuit, you should contact an attorney to preserve whatever rights you may have.

(8) COUNSEL FOR THE COLLECTIVE: If you choose to join this suit, the named Plaintiff through his attorney will represent your interests. Plaintiff's attorney and the attorney for the collective is:

Mr. Josh Sanford
Sanford Law Firm, PLLC
Kirkpatrick Plaza
10800 Financial Centre Parkway, Suite 510
Little Rock, Arkansas 72211
Telephone: (800) 615-4946
Facsimile: (888) 787-2040
E-mail: josh@sanfordlawfirm.com

You also have a right to hire your own attorney and pursue your potential claims individually. If you sign a Consent to Join you agree that the attorney for the collective will represent you in this case.

(9) FURTHER INFORMATION: Further information about this suit, your rights to join in this action, information about filing a Consent to Join, and additional Consent to Join forms can be obtained by contacting Josh Sanford at (800) 615-4946 or josh@sanfordlawfirm.com.